

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

CHRISTINE CHESTER,

Plaintiff,

v.

Case No. 04-74049

Dr. INDIRA SHAWNEY,
et al.,

HONORABLE AVERN COHN

Defendants.

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**ORDER ADOPTING REPORT AND RECOMMENDATION AND GRANTING
DEFENDANTS' MOTION TO DISMISS AND DISMISSING COMPLAINT WITHOUT
PREJUDICE FOR FAILURE TO EXHAUST ADMINISTRATIVE REMEDIES**

This is a prisoner civil rights case under 42 U.S.C. § 1983. The matter was referred to a magistrate judge for all pretrial proceedings and before whom defendants filed a motion to dismiss. The magistrate judge issued a report and recommendation (MJRR) that the motion be granted and plaintiff's claims be dismissed for failure to exhaust administrative remedies. Plaintiff did not file any objections to the MJRR.

ACCORDINGLY, for the reasons stated in the MJRR of July 13, 2005, defendants' motion to dismiss is GRANTED. Plaintiff's complaint is DISMISSED WITHOUT PREJUDICE for failure to exhaust administrative remedies.

SO ORDERED.

Dated: August 5, 2005

s/Avern Cohn

AVERN COHN
UNITED STATES DISTRICT JUDGE